

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WHEELER ZAMICHIELI
Plaintiff,

VS.

WILLIAM ANDREWS, ET AL.,
Defendant,

FILED
:
:
MICHAEL L. [unclear] Clerk
By _____ : Dep. Clerk

CIVIL NO. 12-3200

PLAINTIFF'S URGENT MOTION
FOR LEAVE TO AMEND/JOIN DETECTIVE RONALD DOVE

At all times material to Plaintiff's Civil Complaint, Detective Ronald Dove, combined and conspired together with the Defendants William Andrews and Melvin Victor on 2/20/11, in fabricating arrest reports, regarding the search and arrest of Plaintiff. See Exhibit A, Report prepared by Ronald Dove. Detective Dove conspired with Civil Defendants to employ illegal means, and for an illegal purpose, to falsely arrest/imprison, and maliciously prosecute Plaintiff. In Newly Discovered Evidence, Detective Dove is known by Internal Affairs, to violate departmental policy, as well as lying and attempting to deceive regarding a material fact, during the course of [any] departmental investi-

gation. See Exhibit B, 11/12/13, News Article.

Plaintiff moves this Honorable Court, pursuant to Federal Rules of Civil Procedure 15 and Rule 19, to Amend/join Detective Ronald Dove as a Defendant in this Civil Complaint. The Plaintiff argues that, Ronald Dove while acting under color of state law, deprived him of his 4th and 14th Amendments of the U.S. Constitution, incorporated by Pa. Common law, causing Plaintiff to suffer loss and injury. Plaintiff is entitled to redress, under 42 U.S.C. § 1983, as well as relief in recovering Monetary damages against Ronald Dove, for injuries and losses suffered.

Plaintiff request that this Court grant leave freely to Amend/Join Detective Ronald Dove, considering the Newly Discovered Evidence, so as justice requires, pursuant to Forman vs. Davis, 371 U.S. 178, 182 (1962).

DATE: NOVEMBER 20, 2013

RESPECTFULLY SUBMITTED,


WHEELER ZAMICHEL I

CERTIFICATE OF SERVICE

I, Wheeler Zamichieli certify that, a true and correct copy of Plaintiff's Urgent Motion For Leave To Amend/Join Detective Ronald Dove, to this Civil Action, has been served upon the persons listed below.


THIS SERVICE IS BY U.S. MAIL
ADDRESSED AS FOLLOWS:

DIMITRIOS MAVROUDIS
ASSISTANT CITY SOLICITOR
CIVIL RIGHTS LAW DEPT.
1515 ARCH STREET, 14TH FL.
PHILA, PA. 19102-1595

FILED
DEC 2, 2013
FBI - PHILA
19102

DATE: NOVEMBER 20, 2013

RESPECTFULLY SUBMITTED,


WHEELER ZAMICHEL I
INST#67271-066
FDC PHILA
P.O. BOX 562
PHILA, PA. 19105

Philadelphia Police Department Arrest Report

Page 1 of 2 PARS

Defendant: last name: ZANICIELI Sex: Male SSN: 196-56-2110 DOB: 06/23/1972
first name: TROY middle initial: Race: Black Birth Place: Philadelphia
Address: 605 ROBBINS AV Philadelphia PA 19111-0000 Phone #: 215-000-0000
Year: 2011 District: 35 DC#: 11-35-012559 Sector: 3 Ctrl#: 00000
PID: 0717642 SID: 20761636 OTN: N7283286 Event: 220651955 CBN: 1039480
Crime Class: 1501 Desc: Weapons (carrying, possession of) violation Authority: Philadelphia Police Department
DFJ: N uniform firearms act (adults) handgun FBI / FID:

Arrest Name: WHEELER ZAMICIELI DOB: 06/23/1971 SSN:
Address given to PPD: 605 ROBBINS AV Philadelphia PA 19100

ARREST INFORMATION:

Date / Time: 02/20/2011 02:28AM District: 35 Inside/Outside: O Arrest Type: SA
1900 CHURCH LN Philadelphia PA 19100-
Slating Date: 02/20/2011 Slating Time: 06:16AM Sum/Warr: Issued By AC Magistrate:

OCCURRENCE:

Date / Time: 02/20/2001 02:27AM Date reported: 02/20/2011 02:28AM Inside/Outside: O Codefendants?: N
N BEECHWOOD ST / CHURCH LN Philadelphia PA 19100-

FACTS OF THE CASE:

P/O VICTOR #5583 WAS INTERVIEWED AND STATED THAT WHILE WORKING WITH HIS PARTNER, P/O ANDREWS #3935 THEY WERE SURVEYING THE AREA AFTER A FOUNDED SHOOTING AT 2ND & LINTON STS. WHILE DOING SO, THE OFFICERS OBSERVED A CHEVY IMPALA TRAVELING AT A HIGH RATE OF SPEED IN THE AREA OF WISTER & NEDRO. P/O VICTOR STATED THAT THE OPERATOR OF THAT VEHICLE DISREGARDED A STOP SIGN AT THAT LOCATION AND AKMOST BROADSIDED THEIR MARKED POLICE VEHICLE. P/O VICTOR THEN STATED THAT THE OPERATOR CONTINUED TRAVELING ON WISTER AND THEN MADE A RIGHT ONTO CHURCH LN WHICH IS THE WRONG WAY ON A ONE WAY. THE OFFICERS WERE ABLE TO STOP THE VEHICLE AT BEECHWOOD & CHURCH LN. UPON APPROACHING THE VEHICLE, THE OPERATOR TRUNED ON HIS INTERIOR LIGHTS AND P/O ANDREWS OBSERVED A GUN ON THE PASSENGER SIDE AND IMMEDIATELY ALERTED HIS PARTNER. THE OPERATOR WAS REMOVED FROM THE VEHICLE AND A .38 CALIBER ROSSI REVOLVER WAS RECOVERED. THE GUN WAS LOADED WITH (5) "SPENT" FCC'S. THE OPERATOR WAS IDENTIFIED AS WHEELER T. ZAMICIELI, DOB 6-23-71. THE WEAPON WAS PLACED ON A PROPERTY RECIEPT AND THE DEFENDANT WAS TRANSPORTED TO HOMICIDE FOR PROCESSING.

CHARGES:

Code	OC	Description	Grade	Counts
CC6105		VUFA-FORMER CONVICT	F2	001
CC6106		VUFA-NO LICENSE	F3	001
CC6108		VUFA-ON STREETS	M1	001

REQUESTED HEARING DATE:

02/28/2011 00:00

REQUESTED HEARING LOCATION:

806 CJC: 1301 Filbert Street

COMPLAINANTS AND WITNESSES:

Complainant(s)

P/OFF VICTOR MELVIN, MELVIE Age: 99 Phone(H): 215-000-0000 Phone(W): - -
- - 14th Police District - Phila PA 00000-

ARREST REPORT BY:

Badge Description
8003 60 Homicide

Unit Id Platoon Squad Group Id
3 3 C

ARREST REPORT APPROVED BY:

Supervisor- payroll no:

Approval Code:

POLICE PERSONNEL:

Employee Name	Payroll Number	Badge	Dist/Unit	Platoon/Group	Vacation Dates	Vacation Description	Needed At Hearing Police/Sup	Arrest OFC.
DOVE RONALD RONALD		8003	60 / 3	3 C	07/14/2011 to 07/28/2011	Vacation	N / R	N
VICTOR MELVIN MELVIN		5583	14 / 0	3 E	02/22/2011 to 02/22/2011	Training	Y / R	Y
VICTOR MELVIN MELVIN				E	04/12/2011 to 04/22/2011	Vacation	Y / R	Y
VICTOR MELVIN MELVIN				E	11/06/2011 to 11/16/2011	Vacation	Y / R	Y
ANDREWS WILLIAM WILLIAM		3935		E	08/11/2011 to 08/25/2011	Vacation	Y / R	Y

ADDITIONAL INFORMATION:

Hits: Y Statement?: Lab User Fees Requested?: N ADA Concerns?:

EXHIBIT B

Crooked cop's cases overturned

Larry Miller
Tribune Staff Writer

At least 53 illegal drug convictions were overturned by Court of Common Pleas Judge Sheila Woods-Skipper last week as a result of an ongoing investigation of a crooked Philadelphia Police Department narcotics officer who allegedly stole thousands of dollars and drugs from local dealers.

Jeffrey Walker, a veteran officer with 24 years on the force, was arrested in May after FBI undercover agents nailed him for allegedly setting up and stealing from a drug dealer. As a result of the focus on Walker, many of the convictions based on his investigation dating back to 2002 have become suspect. The Defender Association of Philadelphia filed motions to have the convictions overturned following Walker's indictment on federal corruption charges. He is being held without bail. Other cases Walker investigated are also being re-examined.

According to the affidavit for his arrest, a cooperating witness told federal agents that Walker allegedly wanted him to set up drug dealers so he could rob them. Walker allegedly proposed a number of ways the witness could accomplish the schemes so he could take cash and drugs from various dealers. Walker



The Philadelphia Police Department is running ongoing investigations on two of its veteran officers, Ronald Dove, left and Jerry Walker.

— PHOTOGRAPHS FROM THE PHILADELPHIA POLICE DEPARTMENT



CRIME LOG

allegedly gave the witness the name of a dealer who was handling a lot of weight and wanted the witness to find out where he lived so he could rob him. Walker allegedly told the witness he wanted to do the robbery on a Monday, his day off and allegedly said, "I do all my dirt on Mondays."

The informant recorded their meetings and federal agents broke up Walker's plans during the robbery of a drug dealer in which the former narcotics officer allegedly planted an ounce of cocaine in the dealer's car, had the car stopped and then allegedly entered the dealer's house and stole \$15,000 and five pounds of marijuana. After he was arrested, Walker

allegedly admitted planning the false arrest, planting the cocaine and stealing the money.

Investigated detective suspended from the force

Another veteran police officer was suspended from the force with intent to dismiss by Police Commissioner Charles Ramsey following an on-going investigation into allegations that he violated department policy on several homicide cases.

The Internal Affairs Division has been conducting an ongoing investigation into the actions and conduct regarding Detective Ronald Dove. Dove, a 16-year veteran of the force, who was assigned to the Homicide Unit, became the target of an investigation due to his

conduct involving a recent homicide investigation. The overall investigation into this entire matter is still active and ongoing. However, at this stage of the investigation it has been determined that Detective Dove allegedly violated departmental policy by failing to cooperate in a departmental investigation as well as lying or attempting to deceive regarding a material fact during the course of any departmental investigation.